

Message Text

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PAGE 01 CARACA 05472 012302Z
ACTION L-03

INFO OCT-01 ARA-06 ISO-00 JUSE-00 SCA-01 /011 W
-----012305Z 028852 /70
P 012120Z JUN 77
FM AMEMBASSY CARACAS
TO SECSTATE WASHDC PRIORITY 7847

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E.O. 11652: N/A
TAGS: CPRS
SUBJECT: EXTRADITION: CARLO BORDONI

REF: STATE 125784

1. AS STATED IN CARACAS 5162 IT WAS THE SUPREME COURT AND NOT REPEAT NOT THE GOV THAT DECIDED TO CONSIDER ITALIAN AND U.S. EXTRADITION REQUESTS AT THE SAME TIME.

2. AMBASSADOR DISCUSSED THIS MATTER WITH JUSTICE MINISTER AND POINTED OUT THAT UNDER ARTICLE 7 OF THE U.S. EXTRADITION AGREEMENT, GOV IS OBLIGATED TO DELIVER THE FUGITIVE TO STATE WHOSE DEMAND FOR EXTRADITION IS RECEIVED FIRST. JUSTICE MINISTER AGREED WITH AMBASSADOR'S POINT AND RAISED IT VERBALLY WITH PRESIDENT OF SUPREME COURT. LATTER REPLIED SIMPLY THAT SUPREME COURT HAD DECIDED TO CONSIDER BOTH REQUESTS AT THE SAME TIME.

3. AS POINTED OUT IN CARACAS 358 THERE MAY BE A CONFLICT INVOLVING ARTICLE 11 OF THE 1930 EXTRADITION TREATY BETWEEN ITALY AND VENEZUELA, WHICH PROVIDES THAT SHOULD MORE THAN ONE COUNTRY REQUEST THE EXTRADITION OF AN INDIVIDUAL, PREFERENCE SHALL BE GIVEN TO THE COUNTRY OF THAT INDIVIDUAL'S NATIONALITY.

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4. IN VIEW OF THE FACT THAT IT WAS THE SUPREME COURT AND NOT THE VENEZUELAN EXECUTIVE BRANCH THAT DECIDED TO EXAMINE BOTH EXTRADITION REQUESTS, DOES THE DEPARTMENT WISH EMBASSY TO PRESENT A NOTE TO THE FOREIGN MINISTRY ASKING THAT THE U.S. EXTRADITION BE CONSIDERED FIRST? PLEASE ADVISE. DEPARTMENT SHOULD NOTE AND RECALL FROM OTHER CASES THAT VENEZUELAN TAKE SEPARATION OF POWERS VERY SERIOUSLY

INDEED AND THAT VENEZUELAN EXECUTIVE IS LIKELY TO REFUSE TO
MAKE SUCH A REQUEST OF THE JUDICIAL BRANCH.
VAKY

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
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Control Number: n/a
Copy: SINGLE
Sent Date: 01-Jun-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Handling Restrictions: n/a
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ISecure: 1
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Litigation Codes:
Litigation History:
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Original Previous Classification: n/a
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Subject: EXTRADITION: CARLO BORDONI
TAGS: CPRS, (BORDONI, CARLO)
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Type: TE
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